



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

On re application of: ) Art Unit: 1641  
)  
Yoav PALTIELI et al. ) Examiner: Bao Thuy L. Nguyen  
)  
Serial No.: 09/937,706 )  
)  
Filed: October 1, 2001 ) January 18, 2004  
)  
For: ANTIBODIES TO PLACENTAL )  
PROTEIN 13 ) Docket No.: PALTIELI=1  
)  
Confirmation No.: 5124 )

DECLARATION OF BIOLOGICAL MATERIAL DEPOSIT

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, **Mail Stop**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

I, Hamutal MEIRI, hereby declare and state that:

1. The following biological material, referred to in the specification of this application, has been deposited and has received the following accession number(s) by the depository:

<u>26-2</u> strain	<u>I-2134</u> accession number
<u>27-2-3</u> strain	<u>I-2135</u> accession number
<u>215-28-3</u> strain	<u>I-2136</u> accession number
<u>534-16</u> strain	<u>I-2137</u> accession number
<u>6-6-8-11-67</u> strain	<u>I-2138</u> accession number

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2. The above deposits were made on March 4, 1999,  
which were:

(check appropriate item below)

- X  before the effective filing date of this  
application.  
     after the effective filing date of this application  
and a verified statement pursuant to 37 CFR 1.804(b)  
is attached hereto, stating that the biological  
material which was deposited is a biological  
material specifically identified in the application  
as filed.

3. The name and address of the depository is:

Collection Nationale de Cultures de  
Microorganismes of the Pasteur Institute  
25, Rue du Docteur Roux, Paris, France

4. The biological material deposited is capable of  
self-replication, either directly or indirectly, and

(check appropriate item below)

- X  The deposit of the biological material described  
above was made and accepted under the Budapest  
Treaty on the International Recognition of the  
Deposit of Microorganisms for the Purposes of Patent  
Procedure (hereinafter Budapest Treaty) and  
therefore the filing of a viability statement is  
unnecessary (37 CFR 1.807(b)).  
     A statement that the biological material deposited  
with the above named depository was viable and was

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capable of reproduction on the date of deposit is  
attached. Such is executed by:

(complete a, b or c below)

- a. \_\_\_\_\_ the depository
- b. \_\_\_\_\_ the applicant
- c. \_\_\_\_\_ a competent third party

5. With respect to the permanence of the biological  
material deposit:

(check appropriate item below)

  X   The depository is an official depository in  
accordance with the Budapest Treaty and the deposit  
of the biological material described above was made  
and accepted under the Budapest Treaty such that  
samples will be available beyond the enforceable  
life of the patent for which the deposit was made.

\_\_\_\_\_ The contract with the above-mentioned depository  
with respect to the deposited biological material  
provides that the depository will afford permanence  
of the deposit for at least 30 years and at least 5  
years after the most recent request for the  
furnishing of a sample of the deposit was received  
by the depository, samples being available beyond  
the enforceable life of the patent for which the  
deposit was made.

I affirm that should the depositor be notified by the  
depository that it either cannot furnish samples thereof or  
can furnish samples thereof but the deposit has become  
contaminated or has lost its capability to function as

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described in the specification, depositor will proceed in accordance with 37 C.F.R. §1.805.

6. With respect to availability of the biological material, I affirm that the deposit has been made under conditions that assure that (a) access to the deposit will be available during pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 CFR 1.14 and 35 USC 122, and (b) subject to 37 CFR 1.808(b), all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon the granting of the patent.

7. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Hamutal Meiri  
Type or print name of person signing

18 January 2004  
Date

Hamutal Meiri **DIAGNOSTIC  
TECHNOLOGY LTD**  
Signature

\_\_\_\_ Inventor  
\_\_\_\_ Assignee of complete interest  
X Person authorized to sign on  
behalf of the assignee

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DIAGNOSTIC TECHNOLOGIES, LTD.

Type name of assignee

49 Ha HISTRADUT ST. PO Box 25266, HAIFA 31250 Israel  
Beit Etgarim, Etgar Street 4, 39120 Tirat HaCarmel, Israel  
Address of assignee

A.M.  
DIAGNOSTIC  
TECHNOLOGY LTD

Title of person authorized to sign on behalf of assignee:

Chief Executive Officer